

## MITTER SAIN GOYAL

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Advocate

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### Special Honours/Distinctions

- Sahitya Academy Award 2008  
(Sahitya Academy, New Delhi)
- Pt. Gobind Balbh Pant Award 2008  
(Police Bureau of Research & Development, New Delhi)
- Research-Fellowship  
(S.V.P. National Police Academy, Hyderabad)

Ref. No. S22 B1, 08.06.2020

To

The Chairman  
Council for the Indian School Certificate Examination  
New Delhi. (Noticee) [council@cisce.org](mailto:council@cisce.org)

Sub: Legal notice with the request to implement the provisions of 'The Learning of Punjabi and Other Languages Act 2008' in letter and spirit henceforth

And

Not to issue the matriculation pass certificate to the students who have not passed the matriculation examination with Punjabi as a compulsory subject in the academic session 2019-2020.

Sir,

The competent office bearers of the Punjabi Bhasha Pasaar Bhaichara (hereinafter will be called the Bhaichara), an organization which is active in the promotion and extension of Punjabi language, has appointed me as an Advocate to serve this legal notice upon you. In compliance with the above directions, I do hereby serve upon you noticee the following legal notice:

1. The following mandatory provisions of 'The Learning of Punjabi and Other Languages Act 2008' (hereinafter will be called Act of 2008) are brought to your kind notice.
  - (a) Section 3: **Teaching of Punjabi as compulsory subject:** (1) Punjabi shall be taught as a compulsory subject in all schools from First Class to Tenth Class from the academic year 2009-10.  
(2) No board or institution shall award matriculation certificate to any student, unless he has passed the Tenth Class examination in Punjabi subject.
  - (b) Section 8: **Penalty** - (1) Any school, which contravenes the provisions of this Act or the rules made there under for a month for the first time, shall be liable for a penalty of rupees twenty five thousand:  
Provided that if such a school contravenes the provisions of this Act or the rules made there under for a month for the 2nd time, then it shall be liable for a penalty or rupees fifty thousand:  
Provided further that if such a school contravenes the provisions of this Act or the rules made there under for a month for the third time and thereafter, then it shall be liable for a penalty of rupees one lac.  
(2) If any school continues to make contravention of the provisions of this Act and the rules made there under beyond a period of one year, the State Government may, direct the board or institution, as the case may be, to disaffiliate the school to which such a school is affiliated.

Director (Legal)



**Prime**  
Legal & Consultancy  
Services Pvt. Ltd.

Co. Office :  
Backside Cycle Market, Adj. Ldh-Ropar Tpt., Gill Road, Ludhiana.



2. In the year 2019, it came to the notice of the Bhaichara that many schools affiliated to the ISCE were not following the provisions of this Act. To ensure the implementation of the provisions of this Act of 2008, firstly the Bhaichara vide letter dated 05.10.2019 brought this matter to your kind notice and requested you to ensure the compliance of the provisions of this Act.
3. Shri Hari Chand Arora, an Advocate of Hon'ble Punjab & Haryana High Court, who is also the Legal Advisor of the Bhaichara, vide letter dated 01.01.2019, requested the Govt. of Punjab to get the provisions of this Act implemented from the ISCE.
4. The Punjab Govt. was also receiving information from other sources also that ISCE schools were not teaching Punjabi as a compulsory subject up to 10<sup>th</sup> standard and were also imposing restrictions upon the students who were speaking Punjabi while conversing with each other. The Govt. of Punjab became serious to implement the provisions of this Act, especially in the schools affiliated with ISCE.
5. Firstly, the Govt. of Punjab vide letter dated 17.01.2019 directed the Secretary School Education to ensure the compliance of the provisions of the above Act from the schools affiliated to the ISCE which are situated in Punjab. In compliance with this direction, the Director Public Instructions (Secondary Education), vide letter dated 21.01.2019, directed you noticee to make compliance with the provisions of this Act. It also directed you noticee to make necessary amendments to the rules of ISCE, if required.
6. Again the Govt. of Punjab, vide letter dated 07.02.2019, directed you noticee to make compliance with the provisions of this Act. And not to prohibit the students who are conversing with each other in Punjabi.
7. It has come into the notice of the Bhaichara that still many schools are not teaching Punjabi as a compulsory subject in their schools and are also imposing restrictions upon the students from speaking Punjabi. Hence many schools are violating the provisions of the Act and the Orders of the Govt. of Punjab referred above.
8. Through this legal notice, you are requested as under:
  - (a) To strictly make compliance with the mandatory provisions of 'The Learning of Punjabi and Other Languages Act 2008' and the Orders of the Govt. of Punjab.
  - (b) To direct all the schools affiliated to the ISCE to strictly follow the provisions of the said Act of 2008.

*[Handwritten signature]*



**MITTER SAIN GOYAL.**

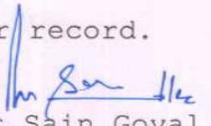
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Advocate

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- (c) Not to issue the matriculation pass certificate to any student who has not passed the 10<sup>th</sup> standard examination with Punjabi as a compulsory subject.

If you noticee failed to make compliance with the provisions of 'The Learning of Punjabi and Other Languages Act 2008' and Orders of the Govt. of Punjab, and issued matriculation pass certificate to a students who has not passed the 10<sup>th</sup> standard examination along with Punjabi as a compulsory subject for the academic session 2019-2020, the Bhaichara will be compelled to initiate legal proceedings against you noticee and the delinquent Head of the concerned school. If the future of the students is ruined/adversely affected due to not issuance of matriculation certificate, the responsibility of such loss will be of the ISCE and the concerned Heads of the schools.

Copy of the notice is retained in my office for record.

  
(Mitter Sain Goyal)

Advocate